

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

KEVIN VAUGHAN,

On Behalf of Himself and
Others Similarly Situated

Plaintiff,

V.

COMPASS BANK, COMPASS
BANCSHARES, INC., BBVA USA
BANCSHARES, INC.

Defendants.

[illegible]

CIVIL ACTION NO. 4:12-cv-00316

**DEFENDANTS' UNOPPOSED MOTION TO
SUBSTITUTE ATTORNEY-IN-CHARGE AND WITHDRAW COUNSEL OF RECORD**

Defendants Compass Bank, Compass Bancshares, Inc., and BBVA USA Bancshares, Inc. (collectively “Defendants”) file this Unopposed Motion to Substitute Attorney-in-Charge and Withdraw Counsel of Record. In support thereof, Defendants respectfully show the Court as follows:

1. Plaintiff Kevin Vaughan filed his Original Complaint on February 2, 2012, alleging violations of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, and seeking to proceed as a collective action on behalf of himself and all purportedly similarly situated individuals. *See generally* Original Complaint (Docket No. 1).

2. N. Scott Moize, Elizabeth Immaning, Robert Mills, and Carl Little each filed a Consent to Become Party Plaintiff on February 2, 2012. *See* Consents to Become Party Plaintiff (Docket No. 1).

3. Defendants timely answered on March 30, 2012, with Michael D. Mitchell appearing as attorney-in-charge for Defendants and T. Cullen Wallace appearing as additional counsel of record for Defendants. *See generally* Original Answer (Docket No. 6).

4. No scheduling conference has been docketed to date and the parties have not yet commenced discovery.

5. Defendants request to withdraw Mr. Mitchell and Mr. Wallace as attorneys of record for Defendant in this matter, and that Ms. Ruthie N. White of Jackson Lewis LLP be substituted as attorney-in-charge for Defendants and that Mr. William R. Stukenberg of Jackson Lewis LLP serve as additional counsel of record.

6. The contact information for Ms. White and Mr. Stukenberg is as follows:

Ruthie N. White
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7. This substitution will result in no delay to these proceedings, and is requested so that justice may be done.

8. A proposed Order is filed herewith.

Respectfully submitted,

/s/ Michael D. Mitchell

Michael D. Mitchell
Attorney-in-Charge
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Of Counsel:

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

I hereby certify that on June 12, 2012, I conferred with opposing counsel and he stated that Plaintiff is unopposed to the relief requested herein.

/s/ Michael Mitchell

Michael Mitchell

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2012 a copy of the foregoing pleading was filed electronically with the Clerk of the Court and will be served on all counsel of record via CM/ECF.

/s/ Michael Mitchell
Michael Mitchell